

N.Y.S.D. Case #
21-mc-102(AKH)

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

MANDATE

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 9th day of June, two thousand and eleven,

Richard Dambakly, Dorothy Dambakly, Edward Deery, James Goldsworthy, Donna Goldsworthy, Philip Kirschner, Timothy Lombardi, Janice Lombardi, Philip Mattera, Laura Mattera, Steven Mozes, d Amy Mozes, Arthur Noonan, Denise Noonan, Devrin Perdue, Goldie Perdue, Stanley Salata, Christine Salata, Richard Srnioukas, Truzzolino Barbra, Michael Vandergriff, Angela Vandergriff,

Claimants - Appellants,

v.

Lucyna Foremska, Tadeusz Foremska, Richard Racioppi, Alex Anthony Sanchez, Rafael Valdez, Manuel Checo, Dorota Markut, Roman Markut, Jose Bello, Bozena Kurkowski, Janus Kurkowski, Ludmila Khomik, Voldymyr Khomik, Gustavo Iturralde, Monica Arce, Miguel Zanabria, Ryszard Krysiuk, Viasta Krysiuk, Columbina Estrella, Leonardo Estrella, Marco Fernandez, Richard Aalbue, Edgar Abarca, Yasmin Abarca, John Abatz, Aly Abdelrehim, Carmelo Acevedo, Byron Acosta, Julian Acosta, Stephen Addeo, Rene Adorno, Luis Adriano, Emmanuel Agostini, Gladys Agudelo, Maria Agudelo, Claudio Agudo, Luis Aguilar, Wilmer Aguinaga, Kevin Ahearn, Raul Alcivar, Miguel Alfaro Lobo, Pedro Alfonso, Carlos Ali, Enrique Ali, Anthony Alloggio, Brigitte Almanzar, Jorge Almeida, Ana Maria Alvarado, Telma Alvarado, Gloria Alvarez, Juan Alvarez, Maria Alvarez, Rolando Alvarez, Hernando Alvarez-Garcia, Jose Alvarracin, Santiago Alvear, Anthony Amabile, Jr., Melba Amaya, Michael Ambroseccchia, Alberto Andrade, Rossina Angulo, Philip Annunziato, John Antiaris, Donald

ORDER

Docket Number: 10-4353

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MANDATE ISSUED ON 01/03/2012

William Cantres, Mauricio Carchi, Edison Cardenas, Carlos Cardona, Catherine Cardona, Luz Cardona, Denis Carlin, Michael Carlisi, Fausto Carpio, Jose Carpio, James Carr, Hernan Carrasco, Victor Carrasco, Ramon Carrero, Linda Carrillo, Neil Carroll, Ronald Carson, Javier Carvajal, Scott Carville, Donald Casey, Carlos Castano, Antonio Castillo, Francisco Castillo, Nancy Castillo, Piedad Castillo, Silvia Castillo, Douglas Castle, Isabel Castrillon, Gisel Castro, Hector Castro, Lucero Castro, Maria Castro, Michael Cavaluzzi, Teresita Cayetano, Lidia Ceballos, Carlos Cedeno, Guy Cerbone, Armando Ceron, Monte Cesta, Wilson Chaca, Rosa Chain, Aida Chalco, Joel Chalco, Horacio Chalen, Michael Charles, Maria Chauca, Carlos Chavez, Edizon Chavez, Benjamin Cheesman, Joseph Chiarantano, Nick Chiarello, Maria Chimbay, Walter Chipe, Manuel Chique, Maria Chique, Luis Chirinos, Pawel Choinski, Andrzej Chojnowski, Faisal Choudhury, William Chun, Vincent Ciaramella, Maria del Pilar Cifuentes, Yolanda Cintron, Dermott Clancy, Cecilia Claret, Justina Claret, Sarbelia Coballes, Angel Cobos, Robert Cocherro, Edward Cochran, Asdrubal Coello, Anthony Cokley, Felice Colella, Antonio Collazos, Joseph Colombo, Viviana Colorado, Christopher Colucci, John Colucci, John Combos, John Comerford, Ralph Conca, Beatriz Concepcion, Freddy Conforme, David Contessa, Thomas Conway, William Cook, Freddy Cordero, Hector Cordova, David Cornier, Jose Coronel, Howard Corr, Elena Corrales, Francisco Cortes, Jorge Cortez, Lidia Cortijo, Manuel Cosme, Thomas Costello, Martin Coyne, Jose Criollo, Nancy Criollo, James Cronin, Efren Cruz, Zunilda Cruz, Patricia Cubas, Carmen Cubero, Francisco Cuellar, Aracelly Cuervo, David Cuevas, Rosa Culcay, Andrew Cullimore, Anthony Cuomo, Peter Curley, Peter Cusick, Mieczyslaw Dabrowski, Kevin Dallas, Patrick D'Alliegro, John Daly, Michael Damato, Frank Danetra, Steven Daquila, Robert Darin, Leonor Datil, Flora Davila, Wilmar Davila, Jimmie Davis, Pyron Davis, Maria De La Cruz, Peter DeAngelis, Gilberto DeJesus, Maria DeJesus, Belkis Delacruz, Elsa DeLaCruz, Gloria Delacruz, Ofelia DeLaCruz, Isabel DeLeon, Emilsen Delgado, Luciano Delorbe, Joseph DeLuca, Louis DeLuccy, Mark DeMauro, Wieslaw Demko, Michael Devito, Fernando Dias, Alba Diaz, Luz Diaz, Ramiro Diaz, Ruth Diaz, Castrenze DiCarlo, Pancr Diez, Rosa Diez, Anthony Dimino, John Dipalo, Leo DiRubbo, Nicholas

DiRubbo, Zbigniew Dobronski, Patrick Dolan, Frank Dolce, David Dominguez, Francisco Dominguez, Gina Dominguez, Margarita Dominguez, Tailor Dominguez, Christopher Donnelly, Michael Donovan, Clara Dota, Joseph Douso, Glenn Dowd, John Dowling, Edward Doyle, Jesse Drake, Bogdan Drozd, Dominik Drozd, Stanislaw Drozd, Oswald Drysdale, Inerva Duarte, Luz Duche, Angel Duchitanga, Manuel Duchitanga, Maria Duchitanga, Rosalino Duchitanga, Blanca Duque, Flor Duque, Maria Duque, Ana Duran, Elvia Dutan, Lucila Dutan, Tomasz Dybus, Carl Dyer, Willie Easterling, Cirilo Encalada, Jorge Encalada, Luis Encalada, Marco Encalada, Mark Engelbrecht, Joseph Eramo, Robert Espinal, Enny Espinosa, Hernando Espinosa, Nancy Espinosa-Cardenas, Adolfo Espinoza, Alex Espinoza, Carlos Espinoza, Harold Estrada, Anna Estrella, Robert Fairweather, Carlos Fajardo, Blanca Falcones, William Fallon, Stanislaw Faltynowicz, Manuel Fares, Bradley Fassett, Christian Febrillet, Frank Felicetti, Aldo Feliciano, Gladys Feliciano, Wilson Feliciano, Marcial Feliu, Delio Feliz, Sandra Fernandez, Kenneth Ferraro, Washington Ferruzola, Piotr Fiedziukiewicz, Tom Finnerty, Gregory Fisco, Kevin Fitzpatrick, Joseph Fiumano, Patrick Flaherty, Danilsa Flores, Talia Flores, James Flynn, Donald Foley, Patricia Fox, Charles Francis, Herman Franco, Lucelly Franco, Luis Franco, Dzile Frangu, Nathaniel Frazier, Flavio Freire, Janina Frelas, Deloris Frierson, Lazaro Fuentes, Manuel Fuertes, Harald Gabrielsen, Juan Galarce, Cruz Galiano, Norberto Gallardo, Carmen Gallego, Isma Gallego, Rebeca Gallegos, Victor Gallegos, Walter Gallegos, Wilson Gallegos, Piotr Fiedziukiewicz, Tom Finnerty, Gregory Fisco, Kevin Fitzpatrick, Joseph Fiumano, Patrick Flaherty, Danilsa Flores, Talia Flores, James Flynn, Donald Foley, Patricia Fox, Charles Francis, Herman Franco, Lucelly Franco, Luis Franco, Dzile Frangu, Nathaniel Frazier, Flavio Freire, Janina Frelas, Deloris Frierson, Lazaro Fuentes, Manuel Fuertes, Harald Gabrielsen, Juan Galarce, Cruz Galiano, Norberto Gallardo, Carmen Gallego, Isma Gallego, Rebeca Gallegos, Victor Gallegos, Walter Gallegos, Wilson Gallegos, Diana Galli, Cori Gallo, Juan Gallo, Edgar Galvis, Rosa Gandia, Wieslaw Gandurski, Jesus Garces, Segundo Garces, Carlos Garcia, Enrique Garcia, Fernando Garcia, Fredy Garcia, Isabel Garcia, Jorge Garcia, Jose Garcia, Joseph Garcia, Ladislao Garcia, Lizeth Garcia,

Luis Garcia, Sixta Garcia, Sonia Garcia, Viviana Garcia,
 Peter Gaspar, Blanca Gavidia, Leonard Gawin, Manes
 Geneus, Samuel Giamo, Michael Gibson, Claudia Gil,
 Margarita Gil, Dennis Gimblet, Alberto Giraldo, Deycer
 Giraldo, Edir Giraldo, Hitier Giraldo, Leslie Glenn,
 Gildardo Gomez, Jose Gomez, Luis Gomez, Ruben
 Gomez, Gabriel Gonzalez, Gisselle Gonzalez, John
 Gonzalez, Juan Gonzalez, Roberta Gonzalez, Edward
 Gora, Malgorzata Grabowska, Abdon Grageda, Joseph
 Granata, Anthony Graziano, John Greaney, Chris
 Greco, Slawomir Gryszkiewicz, Jorge Gualotuna, Rosa
 Gualpa, Enrique Guaman, Jose Guartambel, Arthur
 Gudeon, Joseph Guercio, Antonio Guerrero, Francisco
 Guerrero, Julio Guevara, Rodolfo Guevara, Cesar
 Guiracocha, Samuel Guiracocha, Richard Gullo, David
 Guszick, Rafael Gutierrez, Armando Guzman, Eric
 Guzman, Felix Guzman, Salma Guzman, Brian
 Hanberry, Chris Harmon, John Harris, Michele Harris,
 Michael Hartberger, Michael Hartnett, Frank Harvey,
 Roger Haughton, Jeffrey Hayduk, Gustavo Henao, Dick
 Hernandez, Enrique Hernandez, Jaime Hernandez, Luis
 Hernandez, Maria Cecilia Hernandez, Nubia Hernandez,
 Robert Hernandez, Rosario Hernandez, Tercida
 Hernandez, Jose Herrera, James Higgins, William
 Hightower, Christopher Hinckson, David Hobbs,
 Thomas Hogan, Richard Hovell, Angel Hualpa, Maria
 Huerta, Peter Hunce, Neil Hurley, Julio Hurtado,
 William Hurtado, Kenneth Hutter, Carlton Hylton,
 Diomedes Ibanez, Nury Ibanez, Edgar Idrovo, Manuel
 Idrovo, Jeffrey Imsho, Henry Infantas, Jorge Inga, Luis
 Inga, Ecuador Intriago, Thomas Irwin, Maritza Isabel,
 Wladyslaw Iwanczyk, Jozef Jablonski, Janusz
 Jakubowski, Julio Jalil, Leslie James, Mary James, Juan
 Jara, Marina Jara, Freddy Jaramillo, Jonas Jaramillo,
 Manuel Jaramillo, Rogerio Jarrin, Lawrence Jaszcarr,
 Christopher Jenkins, Carmen Jerez, Rodrigo Jimbo,
 Alberto Jimenez, Francisco Jimenez, Jose Jimenez,
 Rafael Jimenez, Raul Jimenez, Alan Johnson, Charles
 Johnson, Christopher Johnson, James Jones, Pierra
 Jones, Tony Jones, Luis Jordan, Danny Joseph, Jan
 Jozefowicz, Henryk Jozwiak, Osman Juarez, Urbano
 Juarez, Philip Jude, Teresa Jurado, Charles
 Kaczorowski, Jozef Kaczynski, Boris Kagan, Bozena
 Kajewska-Pielarz, Slawomir Karpinski, Janusz Karpiuk,
 Marian Karus, Andrzej Kasina, John Kear, John
 Kearney, Egerton Kelly, Ronald Kerney, Mitchell
 Kessler, Yasha Khaimov, Imtiaz Khan, Donald Killeen,

Mechelle King, Kenneth Kinsey, Andrzej Kiryk, John Kissane, Joel Klein, Lubomir Kmec, Anna Knurzynska, Daniel Kochanski, Wieslaw Kolodziejczyk, Antoni Konopka, Michal Kopcza, Helga Kopperl, Andrzej Korzep, Igor Kosiv, Edward Kosowski, Adam Kowalczyk, Thomas Kucer, Yosef Kudman, Douglas Kuhn, Anna Knurzynska, Daniel Kochanski, Wieslaw Kolodziejczyk, Antoni Konopka, Michal Kopcza, Helga Kopperl, Andrzej Korzep, Igor Kosiv, Edward Kosowski, Adam Kowalczyk, Thomas Kucer, Yosef Kudman, Douglas Kuhn, Kazimierz Kukacki, Antoni Kurak, Boguslaw Kwasniak, Michael Labate, Troy Lagner, John Laios, Eva Lamboy, Antoni Lampart, Keith Landau, Karl Lanfrit, Mark Lanigan, Emerita Lara, Nick LaSala, Ana Lascano, Carlos Lascano, Andrzej Lasica, Annette Leary, Leszek Lech, Fabio Lecoche, Horacio Ledesma, Carlos Lenis, Cesar Leon, Ines Leon, Jose Leon, Segundo Leon, Thomas Leonard, David Lerich, Ivonne Leroux, Alan Letz, Stephen Lewis, Leonard Lewis, Sr., Jerry Liguori, Carmelo Linea, Diego Lituma, Manuel Lituma, Hilda Llerena, Pascual Libri, Maria Lluquay, Thomas LoBasso, Jose Loja, Raul Loja, Wilmo Loja, John Lombardi, Adriana Londono, Francisco Londono, Gloria Londono, Liliana Londono, Adolfo Lopez, Agustin Lopez, Angel Lopez, Antonio Lopez, Francis Lopez, Jamie Lopez, Luz Lopez, Milton Lopez, Oswaldo Lopez, Ricardo Lopez, Rolando Lopez, Wilber Lopez, Andrea Lora, Nicholas Lorusso, Nubia Losada, Tyrone Lott, Steve Lovergine, Henry Lozano, Fernando Lucero, Ligia Luengas, Esad Lukac, Rolando Luna, Edward Luster, Thomas Lynch, Veronica Macas, Pedro Macias, Vernon Mack, Thomas Madden, Thomas Maher, Robert Mahoney, Vitaliy Maksymets, Darwin Maldonado, Felix Maldonado, Mariana Maldonado, Joseph Malvino, Ron Mancini, Luz Manco, Carmine Mandragona, Salvatore Marchese, Douglas Marcillo, John Marcos, Diego Marin, Walter Marin, Virgilio Marmolejo, Gloria Marrero, Christopher Martin, Craig Martin, Garrett Martin, Richard Martin, Joffre Martinez, Manuel Martinez, Roberto Martinez, Anthony Martucci, Kevin Martz, Margarita Mattei, Mark Maupin, Julio Cesar Mayorga Gonzalez, John Mazarese, Juan Mazlymian, Antoni Mazur, Derrick McBean, James McCann, Sean McDermott, Brian McKenna, Jim McLoughlin, Dennis McMahan, Michael McNair, William McNulty, Michael McPartland, Diego Medina, Rosa Medina, Salvador Medrano, Trinidad

Medrano, Hilario Mejia, Maria Melendez, Alberto
Melo, Richard Meltz, Edgar Mendez, Juan Mendez,
Enrique Mendoza, Gustavo Mendoza, Luis Meneses,
Carlos Merchan, Luis Mesa, Wojciech Michalik, Damon
Michalopoulos, Joseph Mills, Richard Miranda, Susana
Miranda, Ubaldo Misaico, Timothy Moeller, Bruce
Mogg, Jeffrey Mohlenbrok, Rosa Molina, Robert
Mollahan, Frank Molloy, Luz Montalvo, Otto
Montenegro, Hamilton Montero, Leidis Montero,
Sandra Montoya, Angel Monzant, Edward Moore,
Eugenio Mora, Edwin Morales, Fabio Morales,
Segundo Morales, Tatiana Morales, Xiomar Morales,
LeRoy Moran, Luis Moran, Wilson Moran, Como
Mordente, Consuelo Moreno, Jorge Moreno, Sandra
Moreno, John Moretti, Lawrence Morgan, Simon
Morocho, Salvatore Moscato, Linder Mosquera, Joe
Moya, Jacek Mrozek, Richard Mulhern, Esperanza
Munoz, Janeth Munoz, Javier Munoz, Michael Murphy,
Glenn Murray, Adolfo Naranjo, Angel Naranjo,
Leonardo Naranjo, Luis Naranjo, Walter Naranjo,
Mieczyslaw Nartowicz, Carlos Narvaez, Julia Narvaez,
Rosa Narvaez, Miguel Naula, Segundo Naula, Dalia
Nauta, Geronimo Navarro, Oscar Negrete, Aurea
Negron, Herbert Negron, Timothy Nevins, Jose Nicola,
Rodolfo Nieto, Victor Nino, David Niskanen, William
Noesges, Miryam Noguera, Joseph Nolan, Richard
Nolan, Carlos Nunez, Divina Nunez, David Nussbaum,
Sean O'Neill, Michael O'Brien, Janneth Ocampo,
Orlando Ocampo, Gustavo Ochoa, Sean O'Connell,
Edward O'Connor, Michael O'Leary, Pilar Olivo,
Wilson Olivo, Steven Olsen, Arkadiusz Olszewski,
Alexander O'Neal, Michael O'Neal, Emil Onzo, Walter
Oquendo, Julio Ordonez, Aurellio Orellana, Cristobal
Orellana, Edgar Orellana, Haidee Orozco, Rafael
Orozco, Edgar Ortega, Mariana Ortega, Sandra Ortega,
Christopher Ortiz, Maria Ortiz, Rosa Ortiz, Wilson
Ortiz, Alicia Osorio, Wladyslaw Ostrzycki, Blanca
Oyervide, Jaime Ozoria, Maximo Pachay, Jose Pacheco
Lobo, Miguel Pacho, Wojciech Paciorewski, Carmen
Padilla, Nayibe Padredin, Miguel Paduani, Krzysztof
Pajak, Rosa Palaguachi, Michael Pallotto, Patricia
Palma, Henry Palomeque, Camilo Palomino, Frank
Pangallo, Czeslaw Pankiewicz, Nicholas Papazissis,
Philip Pappalardo, Kleber Paredes, Valentin Paredes,
Walberto Paredes, Felix Parra, Leydi Parra, Frank
Pasqua, Zoila Pastuizaca, Michael Paternostro, Reina
Paucar, Grecia Pazmino, Albert Peduto, Inez Pelaez,

Rolando Pelaez, Alexander Pena, Gabriel Pena, Jorge Pena, Luis Pena, Marianna Pena, Michael Pena, Luis Penafiel, Robert Pepe, Joseph Pepe, Jr., Guido Peralta, Jose Peralta, Zaida Perea, Jacqueline Perez, Otilia Perez, David Perez- Zapata, Maribel Perez-Sanchez, Kazimierz Perkowski, LaDerrick Perry, Slawomir Peski, Stephen Peters, Julio Pichu, Hanna Pieczynska, Clifford Pierrot, Jan Pietraszkiewicz, John Pigott, Luis Pillco, Napoleon Pina, Freddy Pineda, Hernan Pineda, Carlos Pinela, Katherine Pinkney, Fernando Pino, Luis Pinos, David Pinto, Zbigniew Plucinski, Jose Polo, Pedro Ponce, David Pope, Piotr Porowski, Raul Porras, Michael Power, Juan Manuel Prada, Maria Prada, Victor Prado, Bruce Prescod, Gladys Pretel-Vega, Andrzej Prus, Andrej Prusak, Elsa Puma, Maria Puma, Pietro Puma, Manuel Pumacuri, Dan Purcell, Jan Pyziak, Scott Quinlan, Natalia Quintanilla, Efrain Quintero, Jesus Quizhpi, Nelly Quizhpi, Segundo Quizhpi, Mark Rafaniello, James Ragnetti, Joseph Raimondi, Freddy Ramirez, Harold Ramirez, Michael Ramirez, Orlando Ramirez, Ramiro Ramirez, William Ramirez, Dennis Rando, Abdel Rasheed, Eugene Reems, Denis Reen, Lawrence Regula, Andrew Rehorn, John Reilly, Jan Rejment, Roland Renaudin, Paul Renda, Guelmer Rendon, Viviana Rendon, Irving Rengifo, Javier Restrepo, Angel Reyes, Marilan Reyes, David Reynolds, Francisco Reynoso, Joseph Ribeiro, John Ricciardi, Keith Richards, Alejandra Rico, Eric Rieger, Carlos Riera, Maximo Riera, Laura Riggi, Laura Riggi, Shayla Rivera, Sonia Rivera, Patrizio Rizzi, Bobby Roberts, Blanca Robles, Maria Robles, Teresa Robles, Hugo Rodas, Patricio Rodas, Jorge Rodriguez, Luis Rodriguez, Luz Rodriguez, Manuel Rodriguez, Mercedes Rodriguez, Mirian Rodriguez, Napoleon Rodriguez, Olga Rodriguez, Rosa Rodriguez, Susana Rodriguez, William Rodriguez, Olga Rodriguez-Jomarron, Alfredo Rojas, Angel Rojas, Jaime Rojas, Mario Rojas, Luis Roman, Mieczyslaw Romaniuk, Dennis Romano, Carmen Romero, Cesar Rosales, Carmen Rosario, Richard Ross, Anthony Rotondi, Jerzy Rozpedowski, Glenda Ruales, Segundo Ruales, Anthony Rudder, Casilda Ruffen, Eddie Ruggiero, James Ruggiero, John Ruggiero, Igbalija Rugovac, Arley Ruiz, Rafaela Ruiz, Tejperpab Rupnarain, Thomas Ryan, Donaldo Saavedra, Jorge Saavedra, Galit Sabo-Winer, Donald Sadowy, Blanca Saeteros, Milton Saeteros, Vincenzo Salamone, Maria

Salazar, Victor Salazar, Calinda Salgado, Hipolito Salgado, Lorraine Salgado, Angela Salinas, Jan Salwa, Antwi Samuel, Manuel Sanabia, Apolinar Sanchez, Daniel Sanchez, Delta Sanchez, Edilberto Sanchez, Genaro Sanchez, George Sanchez, Javier Sanchez, Jose Sanchez, Juan Sanchez, Liliana Sanchez, Manuel Sanchez, Miyerlay Sanchez, Oscar Sanchez, Rocio Sanchez, Rosa Sanchez, Wilson Sanchez, Gabriel Sandoval, Henry Sandoya, Luis Sanguna, Leonel Sanmartin, Emanuel Santamaria, Hilda Santana, Miquel Santana, Yahira Santana, David Santos, Fernanda Santos, Joanne Santos-Masso, Edwin Sarmiento, Galo Sarmiento, Gerardo Sarmiento, Javier Sarmiento, Jose Sarmiento, Maydi Sarmiento, Pedro Sarmiento, Antonio Sarra, Gertrudis Savage, Robert Schmidt, Steven Schuler, Michaelene Schultz, David Scott, John Seagriff, Maria Segaline, James Seiferheld, Juan Sen, Alfonso Serrano, Angel Serrano, Theresa Serrano, Stanislav Shalomov, Vladimir Shalomov, Ken Shanahan, Steven Shields, Ulysses Shingles, James Short, Anthony Shubert, Martha Sibrian, Andrzej Siemek, Frank Signorile, Daniel Siguachi, Nancy Siguencia, Raul Siguencia, Antonio Silva, Carlos Silva, Enrique Silva, Fredy Silva, Ligia Silva, Luis Simancas, Larry Simes, Zoila Sinchi, George Sinerco, Eugeniusz Skrzeczkowski, Jerzy Slesicki, Janusz Sliwecki, Jeffrey Smith, Maria Solarte, Ignacio Solis, Lucio Solis, Cynthia Sosa, Jaime Sosa, Mayie Soto, Robert Sparano, Zachary Stamatakis, Joe Starace, Andrew Steckler, Maximino Sterling, Jake Stevens, Alex Stroud, Norma Suco, Margaret Sullivan, Jose Sumba, Samuel Sumba, John Sweeney, Konrad Szafranski, Zbigniew Szczepan, Mirosław Szpanelewski, Edward Szuberla, Edward Szubski, Zbigniew Szynkowski, Janeth Tabares, Ljiljana Tabares, Mauricio Tabares, Bertha Tache, John Taggart, Sara Tallaksen, Pedro Tamayo, Cristhian Tapia, Felicia Taylor, Robert Taylor, Guy Tedaldi, Nicholas Tehan, Rocio Tenempagauy, Wilfrido Tenempaguay, Julia Tenezaca, Manuel Tenezaca, Cesareo Teran, Rocco Testa, Eric Theiss, Kevin Thomas, Jeanne Thorpe, Stephen Tighe, Brendan Tobin, Maribel Tobon, Jorge Toledo, Nelson Toledo, Rosalia Toledo, Victor Toledo, William Toledo, Aracely Toledo Naranjo, Dariusz Tomczyk, Carlos Toral, Flor Torrealba, Aida Torres, Duby Torres, Felix Torres, Javier Torres, Miguel Torres, Pedro Torres, Esperanza Trejos, Consuelo Trujillo, William Trivino,

Manuel Tuapante, Jerome Tucker, Clemente Urena,
 Miguel Urgiles, Esperanza Urquijo, Manuel Uzhca,
 Miguel Uzhca, John Vaccarella, Rosa Valdez, Wilson
 Valdez, Aida Valdiulezo-Nieto, Hector Valdiviezo,
 Carlos Valencia, Gisela Valencia, Yolanda Valencia
 Gonzalez, John Valenti, Mario Valenzuela, Vincent
 Vales, Rainel Valladares, Mark Vanbelle, Edward
 Vanfechtmann, Gabriel Varela,
 Plaintiffs - Appellees,

Tully Construction Co., Inc., City of New York, AMEC
 Construction Management, Inc., Bovis Lend Lease
 LMB, Inc., Plaza Construction Corp., Turner
 Construction Company, Tully Construction Co., Inc.,
 Fleet Trucking, Inc, A. Russo Wrecking, Inc., AMEC
 Earth & Environmental, Inc., Atlantic-Heydt
 Corporation, Berkel & Company Contractors, Inc., Big
 Apple Wrecking & Construction Corporation, Board of
 Education of the City of New York, Breeze Carting,
 Inc., Breeze National, Inc., Brer-Four Transportation,
 Buro Happold Consulting Engineers, PC, C.B.
 Contracting Corporation, Canron Construction
 Corporation, Component Assembly Systems, Inc., Cord
 Contracting Co., Inc., Dakota Demo-Tech, Diamond
 Point Excavating Corporation, Diversified Carting, Inc.,
 DMT Enterprise, Inc., E.J. Davies, Inc., Eagle One
 Roofing Contractors, Inc., En-Tech Corporation,
 Evergreen Recycling of Corona, Ewell W. Finley, P.C.,
 Executive Medical Services, P.C., Francis A. Lee
 Company, FTI Trucking Corporation, Gilsanz Murray
 Steficek, LLP, Goldstein Associates Consulting
 Engineers PC, Hallen Welding Service, Inc., HP
 Enviornmental, Inc., Hudson Meridian Construction
 Group LLC, J.P. Equipment & Rental Materials,
 L.L.C., La Strada General Contracting Corporation,
 Laquila Construction, Inc., Leslie E. Robertson
 Associates, R.L.L.P., Liberty Mutual Insurance
 Company, Lockwood Kessler & Bartlett, Inc., Lucius
 Pitkin, Inc., LZA Technology - a division of Thornton
 Tomasetti Manafort Brothers Incorporated, Yonkers
 Contracting Company, Inc., Yannuzzi & Sons, Inc.,
 WSP Cantor Seinuk, Mazzocchi Wrecking, Inc.,
 Wolkow Braker Roofing Corporation, Moretrench
 American Corporation, MRA Engineering P.C., Royal
 GM Inc., Weidlinger Associates P.C., Weeks Marine,
 Inc., SAB Trucking, Inc., Mueser Rutledge Consulting
 Engineers, Nacirema Industries Inc., New York City

Department of Education, New York City School
Construction Authority, New York Crane & Equipment
Corporation, Vollmer Associates LLP, Turner/Plaza, A
Joint Venture, Tucci Equipment Rental Corporation,
Total Safety Consulting, LLC, Thornton Tomasetti,
Inc., Rodar Enterprises, Inc., City University of New
York, Nicholson Construction Company, Peter
Scalamandre and Sons, Inc, Pinnacle Environmental
Corporation, Pro Safety Services Inc., Skidmore
Owings and Merrill, L.L.P., Skanska Koch, Inc.,
Simpson Gumpertz & Heger, Inc., PT&L Contracting
Corporation, Robert L. Gerosa, Inc., Robert Silman
Associates, P.C., Safeway Environmental Corporation,
Semcor Equipment & Manufacturing Corporation,
Silverite Contracting Corporation,


Defendants - Appellees.

The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to Local Rule 42.1. Each party has submitted a separate electronically signed counterpart reflecting the negotiated terms of the stipulation.

The stipulations are hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


Catherine O'Hagan Wolfe